

BM:JEM:jvm

SEP 7 1962

22-198-104

Aug 11, 1961

Typed: 9/5/62

Mr. S. Garry Omiki
United Church of Christ
Council for Christian Social Action
289 Park Avenue South
New York 10, New York

Dear Mr. Omiki:

The Attorney General has asked me to reply to your letter to him of August 17, 1962, relative to the burning of a Negro church in Lee County, Georgia.

An investigation of the cause of this fire is being made. If the facts which we discover as a result of our investigation indicates there has been a violation of federal law, we will take whatever action is appropriate to ensure compliance with the law.

In behalf of the Attorney General and myself, may I thank you for your interest.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

cc: Records
Chrono
Mr. Marshall
Mr. Neillbren
Trial File (Rm. 1140)

*file in
order*

September 10, 1962

The Honorable Clifford P. Case
United States Senate
Washington 25, D. C.

Dear Senator:

Since you wrote your letter of September 7, all of the ministers still remaining in jail in Albany decided to obtain their release by the posting of bond. Some of them had fasted for several days, affecting their physical conditions. None of the jails used are comfortable and all are crowded. We obtained assurances from the City as to the safety of all persons in jail, however, and I have received no information suggesting that the assurances were not kept.

Very truly yours,

Burke Marshall
Assistant Attorney General
Civil Rights Division

miss.

September 10, 1962

Mr. Barefoot Sanders
United States Attorney
P. O. Box 153
Dallas 1, Texas

Dear Barefoot:

Thanks for the report
on Dallas schools. I am looking
forward to seeing you next month.

Regards,

Burke Marshall
Assistant Attorney General
Civil Rights Division

Department of Justice

Washington

T. 9/11/62
BN:AMC:iff
144-01-5-0

SEP 11 1962

Professor Harry M. Shapiro
Associate Professor Political Science
Rutgers University
406 Penn Street
Camden 2, New Jersey

Dear Professor Shapiro:

The Attorney General has asked me to acknowledge and thank you for your letter of August 31, 1962, concerning the proposed legislation to provide more effective protection of constitutional rights.

The article which you say you are sending under separate cover has not yet been received. I assume it will arrive in the near future.

It was good to see you the other day and I wish to add my thanks for your letter.

Sincerely,

Burke Marshall
Assistant Attorney General
Civil Rights Division

Records
Chrono
Mr. Marshall
Mr. Caldwell

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Emily R. and Kirie Kaplan

UANG RELIGIOUS ACTION CENTER

Commission on Social Action of Reform Judaism

2027 MASSACHUSETTS AVENUE, N.W., WASHINGTON 6, D.C. TEL: (CODE 202) 387-2000

DR. RABBI RICHARD G. HIRSCH

September 11, 1962

Mr. Burke Marshall, Assistant Attorney General
Civil Rights Division
Department of Justice
Washington, D.C.

Dear Mr. Marshall:

Pursuant to our previous conversation, I am herewith giving an updated list of those who will be in attendance at the meeting in your office on Thursday, September 13, 1962 at 2 p.m.:

[REDACTED], Newark, New Jersey
[REDACTED], New York
[REDACTED], New Britain, Connecticut
[REDACTED], New Haven, Connecticut
[REDACTED], New York
[REDACTED], Washington, D.C.
[REDACTED], New York
[REDACTED], Chicago, Illinois

The following personnel of organized church groups will also be present:

[REDACTED] National Council of Churches
[REDACTED] National Catholic Welfare Conference
[REDACTED] United Church of Christ
[REDACTED] Union of American Hebrew Congregations

All members of the group understand that the meeting is confidential. I trust that our discussion will be mutually beneficial.

Warmest personal regards.

Sincerely,

Richard G. Hirsch
Rabbi Richard G. Hirsch

ugh/ack

Linda
Get this to me when they come in. fm

The Commission on Social Action is an agency of the Union of American Hebrew Congregations, the Central Conference of American Rabbis, National Federation of Temple Sisterhoods, National Federation of Temple Brotherhoods, National Federation of Temple Youth

Typed 9-10-62

Herbert J. Miller, Jr.
Assistant Attorney General
Criminal Division

SEP 11 1962

Burke Marshall
Assistant Attorney General
Civil Rights Division

BM:WJO:M:bab

Phil Campbell, Commissioner of
Agriculture of the State of Georgia;
[REDACTED] - Complainant;
Alleged Misuse of Federal Funds.

72-19-84

The attached telegram to the Attorney General, dated September 6, 1962, from Mr. [REDACTED], candidate for the Office of Comptroller General and Insurance Commissioner of the State of Georgia, is referred for your attention.

Mr. [REDACTED] telegram relating to the misuse of federal funds appropriated by the federal government for use of farmers in the State of Georgia appears to pertain to matters within the jurisdiction of your Division.

The information in the telegram regarding the alleged illegal use of state and federal funds for a political purpose does not indicate a violation of the criminal provisions of the Hatch Act or any other statute under our jurisdiction, and we have closed our file.

A copy of Mr. [REDACTED] telegram is being referred to the United States Civil Service Commission for their information by letter of this date, copy enclosed.

Enclosures

Records
Chrono
Mr. O'Hear
Mr. Marshall
Vet. & Elec.

SEP 12 1964

BM:JKN:jvm
144-101-41-36 #9676

Mr. Tom Goldman
City Attorney
P. O. Box 1928
Meridian, Mississippi

Dear Mr. Goldman:

In furtherance to the conversation I had with you and the Mayor and City Manager of Meridian, I am enclosing certain legal authority that I thought might be of interest.

I want to take this occasion to tell you that I enjoyed meeting with you and to again extend to you the invitation to look me up when you are ever in Washington.

Sincerely yours,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

BT:

JEROME K. NEILBROX
Attorney

Enclosure

cc: Chrono
Records
Mr. Marshall
Mr. Neilbrox
Trial File (Am. 1140)

-MISC

1

September 13, 1962

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: University of Mississippi

Today I called Dr. Duncan Gray, the Rector of the Episcopal Church in Oxford, at the suggestion of Professor Portenberry. Dr. Gray had made the unsuccessful efforts to get students to come to see you. As I told you, the position of the students was that they could not do it without University approval, and that they could not get University approval.

I discussed the situation with Dr. Gray. I told him that we have an obligation to see that the University order was complied with and was effective. I asked him what he knew about the University's attitude.

After the discussion he agreed that he would tell Chancellor Williams that I had called and that I was anxious for it to be known that we wanted to discuss the problems facing the University with any University officials who were interested in discussing it with us.

Dr. Gray called back and said that he had talked to the Chancellor. The Chancellor did not want to talk to anyone here directly. However, he was willing for Dr. Gray to relay the following information.

The University has no plans for dealing with the situation. The Chancellor expects to open the University and, as far as the University management is concerned, to conduct classes in the regular manner with as little disturbances as possible.

- 2 -

On the other hand, the Chancellor recognizes that the University is not going to be permitted to accept Meredith as a regular student. He told Dr. Gray that this had been completely taken out of the hands of the University administration by the Board of Trustees, the Governor and the attorney general of the state. He told Dr. Gray that he did not know what this group planned.

As far as police matters are concerned, the Chancellor said that it was obvious that the campus police and local police were inadequate to deal with any situation that might arise. At the same time, the Chancellor said that he had been assured by the state that highway patrolmen would be on hand. Dr. Gray said that he did not know what the instructions given the state officers would be. The Chancellor has discussed the Meredith case with some student leaders. He has pointed out to them that their self-interest in their education and in the University would be best served by an absence of trouble. The Chancellor told Dr. Gray that the response to this kind of talk to the students was encouraging.

We have learned from Professor Fortenberry the following time schedule:

Orientation will start the 15th and continue through the 19th. This is not compulsory. Most new students, but not all transfer students, attend.

Registration for former students is on the 19th.

Registration for new students and transfer students is on the 20th. This is the day that Meredith would normally be expected to register.

The lawyers for Meredith have asked the University when he should report and have received no reply.

Burke Marshall
Assistant Attorney General
Civil Rights Division

CIVIL RIGHTS DIVISION

HONORABLE FRANCIS BIDDLE
WELLFLEET, MASSACHUSETTS
TELEPHONE NUMBER: FI. 9-3381 or FI 9-2264 PLEASE PHONE MESSAGE
IMMEDIATELY UPON RECEIPT

LIFE MAGAZINE PUBLISHING OTHER LETTERS ON EDITORIAL NEXT WEEK'S
ISSUE. DEADLINE TUESDAY EVENING. WOULD LIKE TO PUBLISH FOLLOWING
LETTER SUBJECT YOUR APPROVAL AND CHANGES: QUOTE: YOUR EDITORIAL,
"AMMUNITION FOR THE G.O.P." AND THE COMMENTS ABOUT THE WIRETAPPING
BILL PROPOSED BY THE DEPARTMENT OF JUSTICE ARE INACCURATE.

THE EDITORIAL SAID THAT THE BILL WOULD "AUTHORIZE THE ATTORNEY
GENERAL TO WIRETAP AFTER CERTAIN DETERMINATIONS ARE MADE AT HIS
DISCRETION." ALTHOUGH IN YOUR EDITORIAL THIS STATEMENT IS IN
QUOTATION MARKS, THE QUOTATION APPEARS IN NO PLACE IN THE BILL
SUBMITTED BY THE DEPARTMENT OF JUSTICE: THE BILL THAT HAS BEEN
SUBMITTED PERMITS WIRETAPPING UNDER CERTAIN LIMITED CONDITIONS IN
NATIONAL SECURITY CASES INVOLVING ESPIONAGE, SABOTAGE OR TREASON.
FURTHER, THE BILL WOULD PERMIT WIRETAPPING FOR OTHER MAJOR CRIMES
ONLY AFTER THE DEPARTMENT OF JUSTICE HAD OBTAINED A COURT ORDER.

THE EDITORIAL ATTEMPTS TO MAKE THE POINT THAT THE ATTORNEY
GENERAL BY REQUESTING THIS LEGISLATION IS SEEKING TREMENDOUS NEW
POWER. YOUR READERS HAVE BEEN MISLED.

THE ATTORNEY GENERAL IN FACT ALREADY HAS GREATER POWER NOW TO
WIRETAP IN CASES INVOLVING NATIONAL SECURITY THAN THIS BILL WOULD
GIVE HIM. THIS BILL WOULD LIMIT HIS AUTHORITY IN THIS FIELD BUT
AT THE SAME TIME WOULD PERMIT EVIDENCE OBTAINED IN THIS MANNER TO
BE USED IN A COURT OF LAW, WHICH IS NOT POSSIBLE NOW.

(MORE)

PAGE 2

HONORABLE FRANCIS BIDDLE

FURTHER, I SHOULD STRESS THAT THIS BILL IS FAR MORE LIMITED THAN ANY EVER REQUESTED BY THE DEPARTMENT OF JUSTICE AND HAS BEEN SO RECOGNIZED BY THOSE WHO OPPOSE ANY WIRETAPPING AUTHORITY. IT IS FAR MORE LIMITED, FOR INSTANCE, THAN LEGISLATION REQUESTED IN THIS FIELD BY EITHER ATTORNEYS GENERAL BROWNELL OR ROGERS, MR. KENNEDY'S REPUBLICAN PREDECESSORS.

THIS BILL WOULD ACHIEVE A REASONABLE BALANCE BETWEEN THE REQUIREMENTS OF LAW ENFORCEMENT IN THIS DAY OF HIGH-SPEED COMMUNICATIONS AND OUR TRADITIONAL RIGHTS OF INDIVIDUAL PRIVACY WHICH ARE NOT BEING ADEQUATELY PROTECTED TODAY.

IN ANY EVENT, WIRETAPPING IS NOT A PARTISAN MATTER. THE BILL WHICH THE ATTORNEY GENERAL SUBMITTED HAS BI-PARTISAN SUPPORT AND IN FACT, A NUMBER OF KEY REPUBLICANS IN CONGRESS BELIEVE IT IS TOO LIMITED. UNQUOTE

PERTINENT PART OF EDITORIAL OF JULY 13 READS AS FOLLOWS: QUOTE ON THE QUESTION OF INDIVIDUAL LIBERTY AND GOVERNMENT, THE VENGEFUL QUALITY OF ADMINISTRATION REACTION TO OPPOSITION IS SOMETHING TO WORRY ABOUT. IT IS NO JOKE WHEN EIGHT GOVERNMENT INVESTIGATORS MOVE IN ON A FORMER REPUBLICAN SECRETARY OF THE TREASURY AFTER HIS NAME HAS COME UP IN A CONGRESSIONAL HEARING. IT IS NO JOKE EITHER THAT A BILL PENDING BEFORE THE HOUSE JUDICIARY COMMITTEE WOULD AUTHORIZE THE ATTORNEY GENERAL TO WIRETAP AFTER CERTAIN DETERMINA-

PAGE 3

HONORABLE FRANCIS BIDDLE

TIONS ARE MADE AT HIS DISCRETION." (ITALICS OURS.) UNQUOTE

REGRET RUSH. WE VERY MUCH APPRECIATE YOUR CONSIDERATION
IN THIS MATTER.

BURKE MARSHALL
ASSISTANT ATTORNEY GENERAL
CIVIL RIGHTS DIVISION

September 14, 1962

Mr. Philip P. Kalodner
Deputy Attorney General
Director
Investigation and Civil Rights
Division
Philadelphia State Office Building
1400 Spring Garden Street
Philadelphia 30, Pennsylvania

Dear Phil:

Thanks for your letter. I will
keep Mr. [REDACTED] in mind, but have no
suitable opening now.

Best regards,

Burke Marshall
Assistant Attorney General
Civil Rights Division

Mr. Kalodner's letter re Mr. [REDACTED]
forwarded to Mr. McHorn's office.

DEPARTMENT OF JUSTICE

TO **BM** From Mr. Hubbard

- ☐ ATTORNEY GENERAL
☐ EXECUTIVE ASSISTANT
☐ OFFICE OF PUBLIC INFORMATION
☐ DEPUTY ATTORNEY GENERAL
☐ EXECUTIVE OFFICE—U. S. ATTORNEYS
☐ EXECUTIVE OFFICE—U. S. MARSHALS
☐ SOLICITOR GENERAL
☐ ADMINISTRATIVE DIVISION
☐ LIBRARY
☐ ANTITRUST DIVISION
☐ CIVIL DIVISION
☐ CIVIL RIGHTS DIVISION
☐ CRIMINAL DIVISION
☐ INTERNAL SECURITY DIVISION
☐ LANDS DIVISION
☐ TAX DIVISION
☐ OFFICE OF LEGAL COUNSEL
☐ OFFICE OF ALIEN PROPERTY
☐ BUREAU OF PRISONS
☐ FEDERAL BUREAU OF INVESTIGATION
☐ IMMIGRATION AND NATURALIZATION SERVICE
☐ PARDON ATTORNEY
☐ PAROLE BOARD
☐ BOARD OF IMMIGRATION APPEALS
☐ ATTENTION: _____

- ☐ SIGNATURE
☐ APPROVAL
☐ RECOMMENDATION
☐ COMMENT
☐ NECESSARY ACTION

- ☐ NOTE AND RETURN
☐ SEE ME
☐ PER CONVERSATION
☐ AS REQUESTED
☐ NOTE AND FILE

☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____

☐ PREPARE REPLY FOR THE SIGNATURE OF _____

REMARKS:

This is a message from Special Agent Trainor, which Mr. Hubbard received about 3:15:

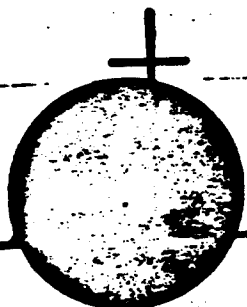
They (FBI) have been advised that out in Goodfield, Illinois, a man named [REDACTED] has informed that he has agreed to sell 25 acres of land to a group of Negroes from Chicago. The land apparently is to be used by the Church of God in that city. The sale is to be completed at 10 a.m. September 15.

Seller [REDACTED] says that the townspeople have threatened to prevent the sale by force if necessary. The Bureau has notified the local law enforcement people who said they would have officers around the local bank where apparently the final papers are to be signed.

They will advise us further if there is any trouble on this.

per 1

FROM _____



**UNITED CHURCH OF CHRIST
COUNCIL FOR CHRISTIAN SOCIAL ACTION**

205 PARK AVENUE SOUTH NEW YORK 10 NEW YORK - GR 5-2121

September 17, 1962

COUNCIL

Walter S. Piers
Chairman

A. William Lous
Vice-Chairman

Mrs. Robert McGeehan
Secretary

Clarence E. Josephson
Treasurer

George D. Ailey

Herbert E. Baldwin

Mrs. John C. Bennett

Theodore A. Braun

Leonard L. Brecher

Timothy E. Dudley

Ray J. Eilers

Joan Furlan

Emerson C. Hansen

Mrs. Frank Havice

Ralph D. Hyslop

Byron L. Johnson

Mina Kataqiri

Constance Keller

Henry C. Kirch

James H. Lightbourne, Jr.

Everett W. MacNair

Alfred F. Schroeder

Mrs. Marace Shonle

Arthur D. Shores

Robert D. Smick

Ernest J. Teln

Park J. White

STAFF

Ray Gibbons
Director

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Elizabeth Johns
Publications

Lewis T. Madaoka
Washington Secretary

Chester L. Marcus
Galen R. Werver

Racial and
Cultural Relations

Herman F. Remick
International Relations

J. Nelson Schimpf
Field Secretary

Mr. Burke Marshall
Assistant Attorney General
Department of Justice
Civil Rights Division
Washington 25, D. C.

Dear Mr. Marshall:

I was with the delegation of ministers who had participated in the pilgrimage to Albany, Georgia and who met with you in your office on Thursday, September 13, 1962.

I am writing to express my personal appreciation for your gracious reception, your willingness to take the time to answer our questions and respond to our suggestions. All of us came away with a better understanding and appreciation of the achievements, problems and prospects of the Civil Rights Division.

Sincerely yours,

S. Garry Oniki

S. Garry Oniki
Associate Secretary
Race Relations Department

SGO:lc

misc.

18 September, 1962

[REDACTED]
Washington, D. C.

Dear Mr. [REDACTED]

Pursuant to your request, I
am enclosing a copy of the complaint
filed by the Government September
17, 1962, in the Prince George
County matter.

Very truly yours,

(Mrs. Linda K. Stores)
Secretary to Mr. Marshall

Enclosure

miss

19 September, 1962

[REDACTED]
Marks, Mississippi

Dear Lonan:

Many thanks for your letter,
your interest, your advice, and your
help. I hope to see you soon.

Best regards,

Burke Marshall
Assistant Attorney General
Civil Rights Division

9

[REDACTED]

LAW OFFICES

MARKS, MISSISSIPPI

September 19, 1962

The Honorable Burke Marshall
Assistant Attorney General
Department of Justice
Washington, D. C.

Dear Burke:

On the chance that you are still interested in newspaper clippings from this area, I enclose a batch from today's papers.

In case you happen to come down this way at any time and would like a vantage point from which to view activities at Oxford, I would be delighted to have you stay here in Marks. We are about fifty minutes away from the University.

Yours cordially,
[REDACTED]
[REDACTED]

[REDACTED]

Enclosure

Dear [REDACTED]
Many thanks for your additional note and the invitation. I hope it will be possible for me to take advantage of the letter I am in a hectic time.
Best regards,

GENERAL



9/19/

Durke Marshall

re [REDACTED]

job interest sent you

any hope?

[REDACTED]

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO		BUILDING AND ROOM	
1.	NAME		
1.	Mr. Holleran		
2.			
3.			
4.			
5.			

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS	9/20
What is this about?	
EM	

FROM	BUILDING, ROOM, EXT.	DATE
NAME		

miss.
September 20, 1962

[REDACTED]
Marks, Mississippi

Dear [REDACTED]

Many thanks for your additional note and the invitation.

I hope it will be possible for me to take advantage of the latter at some less hectic time.

Best regards,

Burke Marshall
Assistant Attorney General
Civil Rights Division

misc.

September 20, 1962

[REDACTED]
Assistant Vice President
The First National Bank of
Montgomery
Montgomery 1, Alabama

Dear Mr. [REDACTED]

Thank you for your letter. I am disappointed
at your decision, but am sure that personal con-
siderations must justify it.

Very truly yours,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

misc.
RUTGERS • THE STATE UNIVERSITY

205 PINE STREET
CAMDEN 2, NEW JERSEY

September 20, 1962

The Honorable Burke Marshall
Assistant Attorney General, Civil Rights Division
Department of Justice
Washington 25, D.C.

Dear Mr. Marshall:

Thank you for your kind letter of September 11.
I have already mailed the material to the Attorney General.

Sincerely yours,

Harry H. Shapiro

Harry H. Shapiro
Associate Professor
Political Science

BHS:pr

DEPARTMENT OF JUSTICE

ROUTING SLIP *Miss*

TO	
NAME	BUILDING AND ROOM
1. Mr. Marshall	
2.	
3.	
4.	
5.	

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<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

Re your inquiry attached.

Jim Symington says that [REDACTED] is an apparently qualified Negro attorney from Kansas City, about whom he spoke with you some time ago and he thinks he sent you some papers on him.

The note was inspired by a call asking Symington to find out if there was an opening. I told Symington that we had no vacancies now and that we were borrowing from other Divisions, but that if [REDACTED] came to Washington, you or someone else would be glad to talk with him.

FROM	BUILDING, ROOM, EXT.	DATE
Holloran		9-21

National Civil Liberties Clearing House ^{misc.}

1637 MASSACHUSETTS AVENUE N.W.

WASHINGTON 6, D. C.

DUPONT 7-6360

Advisory Board

FRANCIS BIDDLE, Chairman
DOUGLAS M. BLACK
GRENVILLE CLARK
DR. ROBERT E. CUSHMAN
EMERSON GREENAWAY
SIDNEY HOLLANDER
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Vice Chairman

CIVIL LIBERTIES
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CIVIL RIGHTS

CLARENCE MITCHELL
(National Association for the
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HUMAN RIGHTS

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Secretary

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JACOB CLAYMAN
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AFL-CIO)

HERMAN EDELSBERG
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EDWARD L. ERICKSON
(American Ethical Union)

ROBERT W. FRASE
(American Book Publishers Council)

GERMAINE KRETZER
(American Library Association)

GLINDA M. ROETTGER
(Southern Church-
Men's Synod)

ALAN BARTH
ANOR BONTECOU
CHARLES A. MORSEY

Executive Director

MARY ALICE BALDINGER

September 24, 1962.

The Hon. Burke Marshall,
Assistant Attorney General,
Civil Rights Division,
Department of Justice,
Washington 25, D C.

Dear Mr. Marshall:

I thought you might be interested to know that Wiley Branton, director of the Voter Education Project of the Southern Regional Council, is going to discuss "Voter Registration Problems in the South Today" at the next monthly meeting of the National Civil Liberties Clearing House.

Since this is so closely related to the interest of your Division, we cordially invite you to be with us, or to send any members of your staff whom you might like to have hear Mr. Branton.

The meeting will be held Wednesday afternoon, October 3, from 2 to 4 o'clock in the Community Room of the Washington Post, 1515 L St., N.W. Mr. Branton will speak at 2, and his talk will be followed by a discussion session, after which our second speaker, Berl Bernhard, will discuss the "Implications of the Civil Rights Commission's Investigation of Housing in the D. C. Area." Anyone from your Division would of course be welcome for both sections of our program.

With best regards,

Sincerely,

Mary Alice Baldinger
Mary Alice Baldinger,
Executive Director.

Dear Norman
Do you want
some more to go
this? fm

Form No. DJ-1
(Rev. 4-15-61)

DEPARTMENT OF JUSTICE

ROUTIN JP

TO	
NAME	BUILDING AND ROOM
1. Mr. Norman	
2.	
3.	
4.	
5.	

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

Sept. 25, 1962

Do you want someone to go to this?

BN

FROM	
NAME	BUILDING, ROOM, EXT. DATE

23 September, 1962

Professor Louis H. Pollak
Yale University Law School
New Haven, Connecticut

Dear Professor Pollak:

There is enclosed a copy of
the complaint filed by the Department
in the Prince George County School
Board case.

The brief in the sit-in cases
is still in the page-proof stage and
I have made a note to myself to mail
you a copy of same as soon as it is
available.

Trust this is satisfactory.

Very truly yours,

(Mrs.) Linda K. Stores
Secretary to Mr. Marshall

Enclosure

1961-1962

The Federal Bar Association

NATIONAL HEADQUARTERS, 1815 N STREET, N.W.

Washington 5, D. C.

METROPOLITAN 8-1224

September 26, 1962

Treasurer

CHARLES A. NARIS
Assistant
Federal Trade Commission

Delegates, American Bar Assn.

WHITNEY GILLERLAND
Member
Civil Aeronautics Board

Alternate Delegates

American Bar Association
PAUL H. GANTT
Chairman, Bd. of Contract Appeals
Department of Interior

Immediate Past President

THOMAS G. MEEKER
Packard Building
Philadelphia 2, Pennsylvania

Executive Secretary

BETTY BAKER

Hon. Burke Marshall
Assistant Attorney General
Civil Rights Division
Department of Justice
Washington 25, D. C.

Dear Mr. Marshall:

In connection with the October 9 - 10 meeting in Washington of the United States Attorneys, The Federal Bar Association has again arranged a reception in their honor at the National Lawyers Club, Federal Bar Building, 1815 N Street, N. W., from 6:30 to 8:30 p.m. on Tuesday, October 9, 1962.

You and your wife are invited to attend this function as guests of the Association. If you can attend, please notify Mrs. Mary C. Hildreth on Extension 2143 in the Office of Mr. John H. Reilly, Head of the Executive Office for United States Attorneys.

We of The Federal Bar Association are glad of this opportunity to recognize the key contributions of so many United States Attorneys to our Association, and the excellent cooperation generally extended to the Association by the Department of Justice.

Sincerely,

Richard E. Lankford
Richard E. Lankford
President Elect

*Should go to
the file of
units to Reilly*

District Vice Presidents (By Federal Judicial Circuits)

First District
ARLYNE HANSETT
Boston, Massachusetts

Second District
MOLLIE STUM
New York, New York

Third District
A. S. HAKENSTEIN
Philadelphia, Pennsylvania

Fourth District
WALTER W. REGER
Richmond, Virginia

Fifth District
JAMES E. PAULMARTIN
Miami, Florida

Sixth District
EDWARD J. MASER
Cleveland, Ohio

Seventh District
DANIEL MCLEAN
Chicago, Illinois

Eighth District
EDWARD L. SCHULTER
Kansas City, Missouri

Ninth District
RICHARD F. BROZ
Seattle, Washington

Tenth District
ROBERT L. JOHNSON
Denver, Colorado

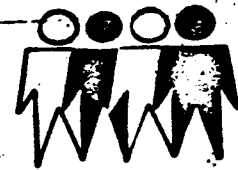
. September 27, 1962

MEMORANDUM TO THE ATTORNEY GENERAL

You may recall that I spoke to you about calling Governor Edmondson, who is being asked to serve as a director of a charitable foundation to study the reapportionment problems. This is the organization that [REDACTED] is principally interested in. It is not necessary to call the Governor, but they would appreciate it if you would drop him a note such as the attached, so that he will know that you are interested in at least the area.

Burke Marshall

Lutheran Human Relations Association of America



VALPARAISO UNIVERSITY • VALPARAISO, INDIANA

September 29, 1962

The Hon. Burke Marshall
Assistant Attorney General
Civil Rights Division
Department of Justice
Washington, D.C.

Dear Mr. Marshall:

Your letter addressed to Dr. O. P. Kretzmann, President of Valparaíso University, in response to the telegram he sent to Father Hesburgh concerning my arrest in Albany, Georgia, was referred to me.

Dr. Kretzmann and I are deeply grateful to you and the Department of Justice for your concern as well as for the intelligent action that has been taken by your department.

We are cognizant of the procedural handicaps standing in the way of rooting out the injustices involved and for that reason appreciate even more every positive step taken to eliminate them.

The "Brief for the United States as Amicus Curiae" in Civil Action No. 727 is a valuable document that we can use. Would it be possible for the Department of Justice to supply our office with twenty-five copies of it? We could use them at the meeting of our Board of Directors scheduled for October 6.

Sincerely,

Andrew Schulze

Andrew Schulze

AS:ms

cc: Dr. O. P. Kretzmann

EXECUTIVE SECRETARY

SCHULZE

VALPARAISO UNIVERSITY

VALPARAISO, INDIANA

SECRETARY

VALPARAISO UNIVERSITY

VALPARAISO, INDIANA

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London. You are with a
name. Both for me.
NEW YORK 27th NY

Sept. 30, 1962

My dear Mr. Marshall, -

Believing that the nation needs a rallying point at this crucial time in the struggle for equality and brotherly Love, I have written the enclosed song: "Black and White Keys." The music has been composed by Miss [redacted] an accomplished colored musician and singer.

If you agree with me that this song can do some good in improving inter-racial relations, I would appreciate a suggestion on your part as to whether this message can best be spread thru television or by a record. It could be sung by a white person, a colored person, or a mixed group. The question is where would it be sung, and under what auspices? The right way wins the right of way.

Mr. Pierre Salinger has a copy of the song, as has the U.S. Civil Rights Commission. We would gladly donate any proceeds to some worthwhile charity.

Sincerely, [redacted]

University of Notre Dame
Notre Dame, Indiana

Missed.
D

Office of the President

October 1, 1962

Cable Address "Pater"

Dear Burke:

It was certainly thoughtful of you to share with me your letter to President Kretzmann of Valparaiso University. May I also say that I have been inwardly cheering for you during the sad events in Mississippi this past week. I had to follow most of the developments from Europe, but perhaps I can tell you how important your efforts are since Radio Moscow there was broadcasting long programs all over the world, and especially to Africa, commemorating our Emancipation Proclamation on the one hand, and the Mississippi performance on the other. The only way we can win this game is to hope and pray for all success in your efforts in Mississippi.

I am also grateful for the fine tour you gave me of the Justice Department. I find the whole operation very effective, and I trust it gives you great satisfaction to be around at this historic moment and to strike your blow for freedom.

With all best wishes, I am

Very cordially yours,

John F. Kennedy

Mr. Burke Marshall
Department of Justice
Washington, D. C.

John Doe -
P. 2 you inf.

Form No. DJ-44
(Rev. 4-13-61)

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO	
NAME	BUILDING AND ROOM
1. MR. MARSHALL	
2.	
3.	
4.	
5.	

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<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

If Flannery is back October 3,
I would like for him to attend this
conference.

Dave

*Dave's name:
I don't think
he'll be here. Try
want to send it
substitute
for*

FROM		
NAME	BUILDING, ROOM, EXT.	DATE
D 2 M		

Form No. DJ-46a
(Rev. 4-13-61)

DEPARTMENT OF JUSTICE

ROUTINE

TO	
NAME	BUILDING AND ROOM
1. Mr. Norman	
2.	
3.	
4.	
5.	

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<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
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<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

Oct. 2, 1962

I don't think he'll be here. Do you want to send a substitute?

BN

FROM		
NAME	BUILDING, ROOM, EXT.	DATE

October 2, 1962

[REDACTED]
Cincinnati 2, Ohio

Dear [REDACTED]

Thanks for your note on

[REDACTED] He has been highly recommended by several people. I will pass along your views.

Best regards.

Burke Marshall
Assistant Attorney General
Civil Rights Division

Form No. DJ-100
(Rev. 4-13-61)

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO	
NAME	BUILDING AND ROOM
1. MR. MARSHALL	
2.	
3.	
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5.	

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<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

10/2/62

I have asked [REDACTED] to go to this meeting since he knows quite a lot about each of the states we're working on.

[REDACTED]

FROM		BUILDING, ROOM, EXT.	DATE
NAME			

October 2, 1962

Mr. Andrew Schulze
Executive Secretary
Valparaiso University
Valparaiso, Indiana

Dear Mr. Schulze:

I am enclosing one copy of the brief which the United States filed in the case of Kelley, et al. v. Page, et al., Civil Action No. 727.

Since so many people have either written or called in requesting copies of the brief, our supply is nearly depleted. For this reason we are not able to spare the twenty-five copies which you requested in your letter of September 29th. I hope that this copy will be of some benefit to you at your meeting with the Board of Directors on the 6th of October.

Yours very truly,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

misc.

October 9, 1962

[REDACTED]
New York 21, New York

Dear Mr. [REDACTED]

Many thanks for sending your composition, "Black and White Keys", along to me. I appreciate your thoughtfulness and the sentiment contained in the song. Unfortunately, however, this is a matter in which the Department of Justice is not at liberty to participate, notwithstanding your good intentions.

Returned herewith is your song sheet. The gesture on your part is to be commended.

Very truly yours,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

DUBLIN, NEW HAMPSHIRE

October 4, 1962

Hon. Burke Marshall
Department of Justice
Washington, D. C.

Dear Mr. Marshall:

Your forthright and careful answers in your interview on October 2 with Martin Agronsky on N.B.C.'s program "Today" made a fine impression on me, at least. But there was one answer which disturbed me because of its important implications, i.e., your reply to Mr. Agronsky's question as to the report that a girl student may apply for admission at the University of Mississippi and whether, if so, the Government would support her.

Your answer, as I noted it, was that you didn't know whether the report was correct; and, as to Government support, that she would have to bring a suit if denied admission and get a court order and that the only concern of the Government would be to see that such an order was enforced if and when issued and defied.

This answer obviously carries deep implications in that if it represents Government policy (as you evidently assumed it does), the full burden of getting Negro students into colleges and schools against opposition must be assumed by private citizens and private funds right up to the point when a final court decree directing admission has been made and defied. It means, as you put it, not only that the individual applicant cannot count on any legal support from the Government by intervention or otherwise, but also cannot expect even any moral support. For your statement that the Government has no concern with such a case until the stage of defiance of a final court order is reached is susceptible, I suppose, of no other interpretation.

If this interpretation be correct, it means, in my view, that the Government's position should either be reconsidered and modified or else that the position should be made widely known so as to make clear that individual and private self-help must be the main reliance and that no aid can be expected from the Government until after all proceedings for legal relief have been exhausted and through the issuance of a final court order have been taken and private efforts for compliance have failed.

This matter is right now of immediate and urgent importance in connection with an effort shortly to be made, I hope, to raise a considerable fund (perhaps \$5.3 million) in aid over a ten-year period of efforts to obtain equal justice under law for our Negro citizens. The name of the proposed fund may be: "The Fund for Equal Justice under Law", with a sub-title, "A Ten-Year Plan". In connection with launching this plan, in which I am much interested, it will be important to know whether the policy stated in your answer to

Page Two

Mr. Agrensky is settled policy stance, if so, the prospectus and public announcement should stress, as an inducement for subscriptions, that no help, not even moral support, can be expected from the Government, unless and until compliance of a final Federal court order is involved.

From my standpoint it would be unfortunate and sad to have to make such a statement; but it certainly should be made if that is actual policy.

Needless to say, I have no criticism of yourself for the answer you gave, since you were speaking officially and could only state what you supposed to be Government policy. But it was certainly a pretty chilly answer. I only wish you could have said: "I know nothing as to the correctness of the report as to such an application by a girl student. With regard to Government support for such an application, if made, the Government certainly wants to have qualified Negro students get an education in our colleges and universities on an equal basis with white students. That is fundamental and the Government will certainly encourage their efforts. As to method, however, all the Government can probably do, aside from moral support, is to come in after the applicant has obtained a final Federal court order requiring admission and such order has been defied."

The difference between such a statement and yours in reply to Mr. Agrensky is, of course, all important, - in that it would put the moral support of the Government behind private efforts to obtain equal rights instead of disclaiming in effect any moral interest at all. It was just this disclaimer by implication which prevailed in the Eisenhower administration and which, in my view, so much encouraged Deep South resistance and aggravated the problem.

Will you not send me the actual text of Mr. Agrensky's question and of your reply and tell me whether I have them correctly; and also give me any comments you may wish as to the ideas expressed in this letter?

Sincerely yours,

DUBIN, M. M.

Hon. Burke Marshall
Department of Justice
Washington, D. C.



miss.
OCT 9 1962

Mr. Grenville Clark
Congress of Racial Equality
Dublin, New Hampshire

Dear Mr. Clark:

It was a great pleasure as always to
get one of your careful and full letters.

The text of the question and answer to
which you referred is as follows:

AGRONSKY: "And the government will see
that he does. May I ask just
very very quickly, sir, we have a report
that a Negro girl is also applying at the
University of Mississippi and --for
admission to the classes. Is that correct,
and will the federal government support
her application?"

MARSHALL: "Mr. Agronsky, I don't know
whether it's correct, and to
say will the federal government support
her application, is to put it in the
wrong light. What happens is that these
people have a right to bring a suit, and
once they bring a suit, if they get a
court order, then it is the responsibility
to enforce the order. That's all the
federal government has to do with it."

On reading over the answer I came to the
conclusion that I would not have answered the
question in that fashion if it were asked me
again. I think the negative tone of the answer

was probably due more to weariness than to anything else.

Nevertheless, it is a fact that the federal government would have no right to represent in litigation another Negro applicant to the University of Mississippi. If the girl referred to is applying, she is in fact doing it as a matter of personal right -- a personal right that is important to the nation at large for all sorts of reasons, but nevertheless only a personal right. When the so-called Title III portion of the 1957 Civil Rights Act was eliminated by the administration at that time and by Congress, the result was to deny to the federal government any right to initiate school desegregation suits.

When issues are created which are novel, we have often informed the courts of our views through amicus briefs. But I don't feel that it would be a useful expenditure of the very limited resources at my command to participate as amicus in suits where there is really no legal issue until a judgment has been rendered, as was true in the University of Mississippi litigation.

Your statement accordingly is generally accurate that the burden of getting Negro students into colleges and schools against opposition must be assumed by private citizens and private funds to the point when a final judgment has been reached, and there are indications that it will not be complied with. This is not so much a matter of our policy as it is a matter of a lack of legislation. We have attempted to start making inroads on this through bringing government-initiated suits in impact-area school districts. Thus far there has been only one test case filed, but I expect to file others during the coming months.

I did not in any event intend to imply that there was no moral support. The Attorney General

speaking over the weekend about Mr. Meredith's courage,
comparing him to Walter Schirra. But this is not
of much use as far as financial resources and legal
assistance is concerned.

In any event, I think that the fund in which
you are interested should be of great benefit to the
country. As far as my answer to Mr. Agrensky is concerned,
I wish I had instead given yours. It would have been
equally accurate. But I do think that to accept Mr.
Agrensky's term "support" of the girl's application would
have been misleading under the circumstances.

Very truly yours,

Burke Marshall
Assistant Attorney General
Civil Rights Division

bcc: Mr. [REDACTED]

CLAUDE F. CLAYTON
UNITED STATES DISTRICT JUDGE
TUPELO, MISSISSIPPI

POST OFFICE

Greenville, Mississippi
9 October, 1962

Honorable Burke Marshall
Assistant Attorney General
Department of Justice
Washington 25, D. C.

Dear Friend Burke:

I enclose a copy of my letter
of even date to [REDACTED] as well as copies
of the Davidson letters. I thought you might
be interested.

Sincerely,

Claude F. Clayton
Claude F. Clayton

CFC:mg

Enclosures

① Dear Judge Clayton:
Thank you for sending me
copies of the letters from your
friend in Atlanta. I will
say I enjoyed reading them
and they are interesting.
With my personal regards,
Sincerely,
[Signature]

② John Doe:

A letter from your
friend and mine.
B1

Miss

I

The only fully accredited society in either Alabama or Mississippi is in Birmingham, but it does not handle criminal cases either.

In the entire South, the only society that handles both is in New Orleans.

Form No. DJ-46a
(Rev. 4-11-61)

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO	
	BUILDING AND ROOM
1. Mr. Marshall	
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3.	
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☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____

☐ PREPARE REPLY FOR THE SIGNATURE OF _____

REMARKS

Burke,

Upon first reading Mayor Holland's letter, I felt we should not answer it; however, I changed my mind after thinking about the matter.

To my knowledge, the letter has not been made public. If we don't answer the letter, he might make it public and claim the Attorney General didn't even show him the courtesy of a reply. Therefore, I think we should answer it.

I presume that you might want to change the draft I have prepared for you, (over)

FROM	BUILDING, ROOM, EXT.	DATE
NAME		10/10/62

out, I would like to retain a couple of things. I think you ought to make a reference to the fact that Mayor Holland personally called upon you in Washington. This might make him less inclined to want to publish either his letter to you or your reply and make a big public issue out of it since, in the eyes of the local community, his calling upon you would be like making a personal call upon the Pope.

I also think that some reference should be made to the fact that the Mayor knows from personal experience that we have tried to work out "racial problems" by resorting to negotiation prior to taking action in the courts.

Jerry